

PATENT



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : Daniel P. Topp
TITLE : COMBUSTION SYSTEM FOR A HEATER
APPLICATION NO. : 09/852,445
FILING DATE : May 9, 2001
EXAMINER : K. Ferko
ART UNIT : 3743

TO: Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
SEP 17 2002
TECHNOLOGY CENTER R3700

* * * * *

CERTIFICATE OF MAILING

I hereby certify that this correspondence, along with any paper or fee indicated as being enclosed, are being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on September 3, 2002.

3 SEPT 2002

Date

Mark A. Garzia

* * * * *

TRANSMITTAL LETTER ACCOMPANYING
REPLY TO OFFICE ACTION PURSUANT TO 37 CFR § 1.111

Dear Sir:

Transmitted herewith is a Reply to Office Action (13 pgs.) in the above-captioned application.

☒ Small entity status of this application pursuant to 37 C.F.R. §1.9(f) and §1.27(b) has been established.

☐ It is believed that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition for Extension of Time under 37 C.F.R. §1.136(a).

☐ Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a) - (d) for the total number of months checked below:

<u>Extension Months(s)</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee For Small Entity</u>
<input type="checkbox"/> 1 Month	\$110.00	\$ 55.00
<input type="checkbox"/> 2 Months	\$400.00	\$200.00
<input type="checkbox"/> 3 Months	\$920.00	\$460.00
<input type="checkbox"/> 4 Months	\$1440.00	\$720.00
<input type="checkbox"/> 5 Months	\$1,960.00	\$980.00

☐ A Terminal Disclaimer Pursuant to 37 C.F.R. § 1.321(b) and (c) is enclosed.

☐ An Assignment (pgs.) is enclosed.

☐ Assignment Cover Sheet (1 pg.)

☐ An Information Disclosure Statement Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98 (pgs.) is enclosed.

☐ Form PTO-1449.

☐ References

☒ Fee Transmittal for FY2002 – Form PTO/SB/17 (1 pg.) is enclosed.

☒ A postage-prepaid, self-addressed postcard to acknowledge receipt of this communication is enclosed.

☒ Other

☒ Marked-Up Claims Pursuant to 37 CFR § 1.121 (2 pgs.) is enclosed.

☒ Marked-Up Specification Pursuant to 37 CFR § 1.121 (1 pg.) is enclosed.

☒ Figure 7 with amendments marked in red ink. (1 pg.) is enclosed.

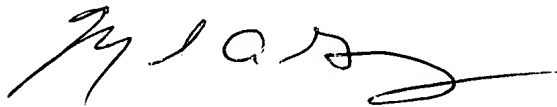
☒ No additional claim fee is required.

☐ Please charge my Deposit Account No. _____ in the amount of \$ _____. Two copies of this transmittal are attached.

☐ Check No. _____ in the amount of \$ _____.00 to cover the extension fee is enclosed.

☐ The Commissioner is hereby authorized to charge any deficiency in fees associated with this communication, or credit any overpayment, to Deposit Account No. _____. Two copies of this transmittal are attached.

Respectfully submitted,



Mark A. Garzia, Esquire
Registration No. 35,517

3 SEPT 2002
Date

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Approved for use through 10/31/2002. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete If Known

Application Number 09/852,445
Filing Date May 9, 2001
First Named Inventor Topp, D.
Examiner Name Ferko, K.
Group Art Unit 3743
Attorney Docket No. TOPP-P2-US

RECEIVED

SEP 17 2002

TECHNOLOGY CENTER R3700

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number
Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
101	740	201	370	Utility filing fee
106	330	208	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Reissue filing fee
114	160	214	80	Provisional filing fee

Fee Paid

SUBTOTAL (1) (\$) 0

2. EXTRA CLAIM FEES

Total Claims 19
Independent Claims 2
Multiple Dependent

Extra Claims Fee from below Fee Paid

20** = 0 X = 0
3** = 0 X = 0

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0

SUBMITTED BY

Name (Print/Type)	Mark A. Garzia	Registration No. (Attorney/Agent)	35,517	Complete (if applicable)	Telephone	610-566-5050
Signature				Date	3 SEPT 2002	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.